



## NOTICE OF PUBLIC COMMENT PERIOD

### Draft Removal Action Workplan Available For Review and Comment For Vista Montana Park Site San José, California



**PUBLIC COMMENT PERIOD:** October 18, 2007 through November 19, 2007

#### WHAT'S BEING PROPOSED?

A proposal to clean up contamination at the Vista Montana Park site (VMP) is open for public comment. The Department of Toxic Substances Control (DTSC) invites the public to review and comment on the cleanup plan called a Draft Removal Action Workplan (Draft RAW). The VMP site is located at 55 Vista Montana, 81 Vista Montana, 305 Tasman Drive, 4145 North First Street, and 4041 North First Street, San José.

Investigations at the VMP site found that soil is contaminated with pesticide-related contaminants and include arsenic, lead, and dichloro-diphenyl trichloroethane (DDT). Vista Montana Park Homes LLC and ERP Operating Limited Partnership plan to purchase and redevelop the VMP site into townhouses, apartments, and two public parks. The town homes and apartments will be built on raised parking structures. If the Draft RAW is approved, the proposed cleanup would involve capping the contaminated soil on the site. Contaminated soil would be removed from the public park areas and placed on the residential areas. Clean soil will then be brought in to cover the public park areas. The residential areas will be capped by building foundations, street, parking pavements, and landscaping, all of which will prevent exposure to the contaminated soil.

DTSC invites public review and comment on the Draft RAW during a 30-day public comment period. The Draft RAW describes in detail the investigation and proposed cleanup activities for the VMP site. The Draft RAW and other site-related documents are available at the Information Repositories listed below.

DTSC is a part of the California Environmental Protection Agency. An important function of DTSC is to evaluate sites for potential hazardous substances or contamination that may pose a risk to public health and the environment and to oversee soil and groundwater investigations and cleanup if contamination is found. DTSC is the lead government agency overseeing soil and groundwater investigation and cleanup at the VMP site.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

The City of San José prepared a final Program Environmental Impact Report (EIR) for the North San José Development and a subsequent VMP site-related Initial Study – EIR Addendum that evaluate the potential environmental impacts of the proposed site cleanup and development project for Vista Montana Park. DTSC plans to rely on these documents in order to meet its CEQA requirements. These CEQA documents, along with the Draft RAW, are available for your review on the internet and are also located at the Information Repositories listed below.

#### HOW DO I PARTICIPATE?

Your participation is encouraged. Comments concerning the Draft RAW may be submitted to Ms. Jovanne Villamater, DTSC Project Manager, 700 Heinz Avenue, Berkeley, California, 94710 or e-mail: [JVillam1@dtsc.ca.gov](mailto:JVillam1@dtsc.ca.gov). All mail must be postmarked by 5 PM on November 19, 2007. E-mailed comments must be received by DTSC no later than 5 PM on the same date.

#### WHERE DO I GET MORE INFORMATION?

A copy of the Draft RAW and CEQA documents are available for review at the below Information Repositories:

##### Department of Toxic Substances Control

Berkeley Office  
700 Heinz Avenue, Suite 200  
Berkeley, CA 94710  
By appointment only call (510) 540-3800

##### Alviso Branch Library

Reference Desk  
5050 N. First Street  
Alviso, CA 95002  
(408) 263-3626

##### Novellus Systems

4000 N. First street  
San José, CA 95134  
(408) 943-9700

The Draft RAW, CEQA documents, and other site-related reports are also available on the DTSC website at:

[http://www.envirostor.dtsc.ca.gov/public/profile\\_report.asp?global\\_id=60000294](http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60000294)

#### CONTACT:

If you have any questions or wish to discuss the project, please contact: Jovanne Villamater, DTSC Project Manager, at (510) 540-3876 or by e-mail to [JVillam1@dtsc.ca.gov](mailto:JVillam1@dtsc.ca.gov). For public participation activities, please contact Chao Thao, DTSC Public Participation Specialist, at (916) 255-3649 or toll-free at (866) 495-5651 or by e-mail to [CThao@dtsc.ca.gov](mailto:CThao@dtsc.ca.gov). Members of the media should contact Angela Blanchette, DTSC Public Information Officer, at (510) 540-3732 or by e-mail to [ABlanche@dtsc.ca.gov](mailto:ABlanche@dtsc.ca.gov).